

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

-vs-

JOSE TRINIDAD CONTRERAS-AVINA,

Defendant.

No. 2:13-CR-6011-WFN-1

ORDER DISMISSING INDICTMENT

Pending before the Court is the Defendant's Motion to Lift Stay (ECF No. 93) and the Government's Motion to Dismiss (ECF No. 98). The case was stayed by Order of the Ninth Circuit pending resolution of immigration proceedings. Those proceedings are complete and this Court may now lift the stay. The Government moves to dismiss the Indictment with no objection by the Defendant. The Court has reviewed the file and Motions and is fully informed. Accordingly,

**IT IS ORDERED** that:

1. Defendant's Motion to Lift Stay, filed August 19, 2016, **ECF No. 93**, is **GRANTED**.

2. Defendant's Motion to Expedite, filed August 19, 2016, **ECF No. 94**, is **GRANTED**.

3. The Government's Motion to Dismiss Indictment, filed August 25, 2016, **ECF No. 98**, is **GRANTED**.

4. The Government's Motion to Expedite, filed August 25, 2016, **ECF No. 99**, is **GRANTED**.

5. The Indictment shall be **DISMISSED without prejudice**.

1 The District Court Executive is directed to file this Order and provide copies to  
2 counsel.

3 **DATED** this 1st day of September, 2016.

4  
5 s/ Wm. Fremming Nielsen

6 WM. FREMMING NIELSEN  
7 SENIOR UNITED STATES DISTRICT JUDGE

08-31-16